

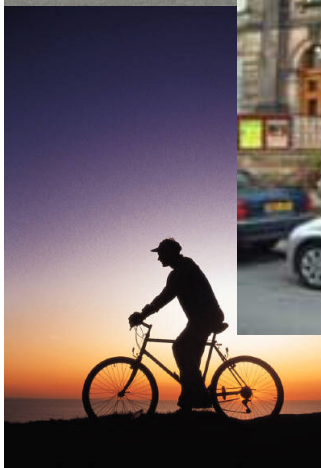


CITY OF  
**YORK**  
COUNCIL

**PARKING  
APPEALS  
MANAGEMENT  
PROTOCOLS**

**NETWORK MANAGEMENT SECTION  
CITY DEVELOPMENT AND  
TRANSPORT**

**Dated: April 2007**



# 1 INTRODUCTION

Residents and visitors to York seldom come into contact with the City Council but, when they do, it is sometimes because of a contravention of our parking regulations.

A companion document to this (Parking Enforcement Protocols) seeks to set out a series of protocols to ensure, as far as is practicable, that a penalty is not incurred for minor parking contraventions. The objective being that our customers are treated fairly with a penalty only being issued when the vehicle is contravening the enforcement protocols. Minor infringements of the regulations will not necessarily result in the issue of a penalty charge notice.

Should a motorist receive a penalty charge notice (PCN) they may not agree with the decision to issue it and may seek to object to it as being unfair. How they are treated in making any objection or representation is of critical importance as to how they view the council at the end of the whole process.

This document sets out how the council expects its parking administration staff to operate and the way that individual officers should approach their duties in connection with the management of any objections and representations.

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## 2 GENERAL INSTRUCTION TO STAFF

Parking administration staff will handle objections and representations in accordance with these protocols. The objective at all times is to be fair to the customer and treat them as you would wish to be treated in similar circumstances.

Parking administration staff are not required to achieve any set income target nor is there a quota for rejected objections and representations. Staff will, however, be required to respond to objections and representations expeditiously, with courtesy and clarity. They will be monitored with regard to all three and officers who fail to meet the required standards may be provided with more training.

Objection Assessment Officers are: -

1. to verify the validity of the PCN issued to the motorist to ensure that it accurately describes the parking contravention in words and with the correct PCN Contravention Code and contains:
    - the Registration number of the vehicle
    - its make and colour
    - its Vehicle Excise Licence Number and expiry date
    - the location of the parking contravention
    - the time and date of the parking contravention
    - the date of issue of the PCN
    - the Parking Attendants identification number
- AND
- Is signed by the Parking Attendant – (if the PCN has been provided by the motorist or is a hand-written PCN).

In the case of a PCN that is issued by a hand-held computer the electronic record of the PCN is checked to ensure that the above details have been recorded.

Any PCN that is invalid – or suspected of being invalid - must be referred to the Representations Officer for confirmation. That officer will rule on the matter.

An invalid PCN is one that has:

- An incorrect or missing Registration Number of the contravening vehicle
- An incorrect or missing description of the location of the parking contravention
- The date and/or time of the parking contravention are incorrect or is/are missing
- A missing or incorrect Parking Attendants identification number

OR

- Is not signed

In the event that the PCN is declared invalid:

- the Objection Assessment Officer is to complete a PCN Cancellation Record Form (see Appendix A) which is to be countersigned by the Parking Administration Supervisor
- the Objection Assessment Officer will then cancel the PCN on the Parking Gateway system.
- the Objection Assessment Officer will write to the appellant to advise that the PCN has been cancelled and explain the reason

2. to consider the objection using the protocols contained within the Tables in Section 5. Consideration must be undertaken with an open mind and no prejudgement made. Any historic information about the appellant must be disregarded and the objection decided only upon the facts of the individual case being examined.

3 In the event that the objection is considered to be invalid:

- the customer is to be advised in writing that their appeal has not been successful and in as much detail as is possible, the reasons why. The customer should be referred to any supporting information which has been used to reach this conclusion and provided with the opportunity to view on line any photographic evidence

4. In the event that the objection is considered to be valid:

- the Objection Assessment Officer is to change the case status on the Parking Gateway system to “Awaiting Cancellation Approval” and notify the Administration Supervisor.
- The Administration Supervisor is to then nominate another Objection Assessment Officer to review the first Officers decision. That Officer is to examine the case and if satisfied that the correct decision has been reached change the case status on the Parking Gateway system to Cancelled and ensure that the computer records are amended by selecting the correct cancellation reason.
- the Objection Assessment Officer is to complete a PCN Cancellation Record Form (see Appendix A) which is to be countersigned by the Parking Administration Supervisor
- The original Objection Assessment Officer is to then write to the appellant to advise that the PCN has been cancelled and explain the reason why.

5 In the event that the customer disagrees with the first decision of the council in respect of their objection, and writes a further letter of

objection, the case is to be considered again by a different officer, provided that, either the motorist produces new evidence, or makes additional points, or not all of the points that were raised by the motorist were addressed in the council's response. If the motorist simply reiterates what they have written before then they should be advised to wait for the receipt of a 'Notice to Owner' (NTO).

- 6 Further objections will not be considered if the motorist's objections are rejected again. The motorist will be advised to make a formal representation upon receipt of a NTO. In the event that the customer makes a formal representation, it will be considered by the Representations Officer. Consideration at that stage will be based upon the grounds for representation that are detailed on the NTO. (See: [http://www.york.gov.uk/transport/Parking/Parking\\_fines/](http://www.york.gov.uk/transport/Parking/Parking_fines/) or the council leaflet entitled: 'Got a Parking Ticket? What to Do Now' for a detailed explanation of the full PCN processing procedure).
  - 7 During the consideration of the first objection the PCN sum due is to be frozen at £30. If rejected, the customer is to be given a period of not less than 14 days, from the receipt of the rejection letter, to pay the outstanding PCN at this level – extra time may be allowed for receipt of payment if there is a bank holiday during this period, or the customer lives abroad. In the event of a rejection of the findings of the first objection and action at 4 above being initiated the PCN sum due is to be returned to £30. If the objection is again rejected a minimum period of 14 days should be given for payment (subject to additional time as previously described).
- All staff will treat customers with courtesy and respect, and, in return, have a right to expect to be treated with courtesy and respect themselves. Staff are to ensure that all letters are dealt with promptly and, in any event, that a reply is sent, whenever possible, no later than the 10<sup>th</sup> working day after receipt. If the matter is complex or there is another reason (other than volume of work) which means that a full reply cannot be sent within the 10 day deadline, an acknowledgement letter is to be sent within 5 working days.
  - All correspondence is to be stored electronically and filed under the unique PCN reference number of the PCN that is the subject of the objection
  - An electronic record is to be kept of any phone conversations with the appellant and the salient points noted.
  - Parking staff are to be conscious of the address of the appellant when writing to them to seek information or advise them of any time limit within which they need to take some action. If it would be reasonable to anticipate that the correspondence could take a protracted period to reach the intended destination then additional time will be allowed for the letter to arrive and a response made.

In addition to the above, Parking Administration Officers are to:

- provide assistance and advice to the general public about any Parking matter
- provide directions and advice of a general nature concerning city locations/attractions within the limit of knowledge of the individual

## 3 DEFINITIONS

### Loading/Unloading and Delivery & Collection

In a Parking Adjudicator's decision on 19 July 1997 (Jane Packer Flowers and others), this issue was explored in detail and the adjudicator considered several cases before issuing a decision that has helped to clarify the legislation and give guidance to councils on how to handle these cases. For a complete record of the ruling in this important case see the adjudication website at;

[http://www.parkingandtrafficappeals.gov.uk/user\\_documents/LOADADJ.pdf](http://www.parkingandtrafficappeals.gov.uk/user_documents/LOADADJ.pdf)

There is an exemption to the parking restrictions if a motorist is loading or unloading goods on-street. However, to qualify for loading/unloading the activity has to meet certain criteria. A useful acronym for this is **CHART** e.g.

**C**ontinuous - the motorist should not break off the activity of loading/unloading to have a cup of tea or a smoke etc. However this does not infer that such activities as completing paperwork or locating the goods in the premises are not part of the loading/unloading process. Each case must be treated on its own merits whilst bearing in mind the decision of Jane Packer Flowers.

**H**eavy Goods - the goods that are being loaded/unloaded must be of such burden of weight or bulk that they cannot reasonably be conveyed otherwise than by means of a vehicle. The goods must be of a type that cannot easily be carried by one person in one trip. Having said that, in some circumstances 'goods' may be an aggregate of several small or lightweight items (see Delivery & Collection below) when delivered in the course of a trade or business.

Shopping may be classed as goods but a vehicle is not covered by a loading exemption if the goods concerned have not been purchased prior to the waiting action. It is not lawful for a vehicle to wait whilst a purchase is made irrespective of the type of goods involved. The exemption does not cover choosing the goods i.e. the process of shopping, but it would apply while the goods are being put into a vehicle. .

**A**djacent - the vehicle must be parked adjacent to where the loading activity is occurring. If the vehicle were parked in another street more than 50 metres away, it would be difficult to argue that it was adjacent. The vehicle does not have to be a goods vehicle, but it must be necessary for the activity and not merely convenient to use a vehicle.

**R**easonable - For example, unloading vast quantities of goods and taking all day to do it would not be considered reasonable. Where the loading/unloading is likely to take a long time and cause a lot of disruption the council should be notified prior to the loading taking place to enable arrangements to be made to try and accommodate it.

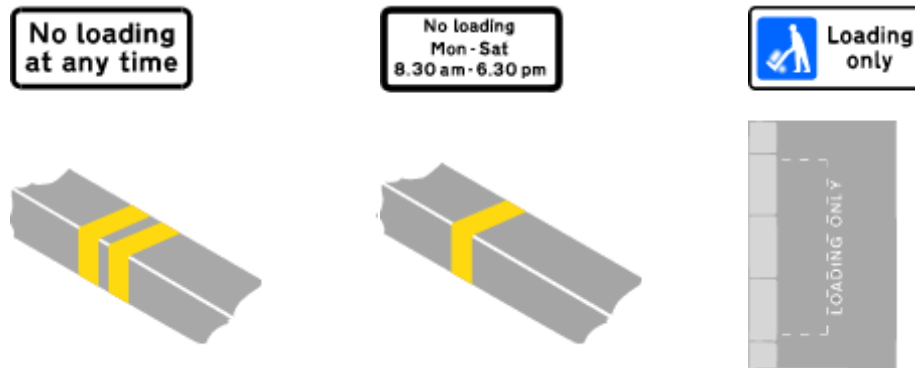
**T**imely - the loading should be completed as quickly as possible.

The Parking Attendants are instructed to observe vehicles that are parked on yellow lines for 5 minutes in order to establish whether any loading/unloading is taking place from or to the vehicle. If they do not observe any activity taking place within those 5



minutes they will issue a penalty notice. Therefore, if a motorist is loading/unloading they should be advised not to leave the vehicle unattended for more than 5 minutes.

There are also certain areas and times when loading/unloading is not allowed at all. In such cases signs and kerb markings should be in place to indicate this (see below).



No loading or unloading at any time

No loading or unloading at the times shown

### Delivery & Collection

If the delivery is being carried out in the course of a trade or business, as compared to a private delivery, it will usually fall within the meaning of 'delivering and collecting goods', even if the size and weight of one item of the 'goods' is small in itself, for example a milk delivery float. The point is illustrated easily by multiple deliveries, but it also applies to one-off deliveries too. Deliveries of small items in the course of business are permitted but it should be borne in mind that the smaller and lighter the goods, the shorter the time needed to deliver. There may be a greater evidential burden on the driver to prove that he took no longer than was necessary if there was a lengthy absence from the vehicle.

The use of a vehicle, merely because it is more convenient than carrying goods, is not normally sufficient reason for the exemption to apply. However, all commercial deliveries have more to them than mere convenient use of a vehicle, as there are obvious considerations of time and money involved. Drivers involved in commercial deliveries should be able to provide some form of supporting evidence if required. The driver does not have to prove that it was necessary to park where he did. He may, however, have to prove that he did not park for longer than was necessary.

The delivery process applies to the completion of paperwork, which is **reasonably** required, e.g. delivery note, obtaining a signature. It is unrealistic to expect deliveries to be made without some form of paperwork.

There may also be some other form of delay such as; papers not ready, people cannot be found, and goods need to be located. The driver will be covered for unexpected delays, but it will be difficult for him to argue that the process was still continuing if he goes for refreshment or starts another job. The driver should be allowed a reasonable time while goods are being located, but this is not an automatic exemption covering however long it takes, a judgement has to be made on whether the time taken was reasonable.

Parking while investigating whether or not there are goods to be collected is not covered, unless the driver can reasonably expect that there are goods there but then finds out that there are none, e.g. a prior appointment or a regular round, rather than a canvassing situation.

Although the delays mentioned above are allowed, selecting or choosing goods is specifically excluded. The goods must have been pre-ordered or collection pre-arranged.

### **The Burden and Standard of Evidence**

This falls on the motorist. The standard is the civil standard – the balance of probabilities. The shorter the observation period, the easier it will be for the driver to establish that the exemption applies.

Any lack of observable activity by the parking attendant does not imply that no activity was taking place. It has been advised by the Adjudicators that an observation period of at least 5 minutes be given.

If, however, the driver is delivering goods to the 20<sup>th</sup> floor for example, it is likely that there may be a period in excess of 5-10 minutes where a parking attendant observes no activity. It is important to understand that this does not mean that we can safely say that no loading or unloading was taking place. Again, the circumstances have to be taken into account. There is no requirement for any of the vehicle doors or the boot to be left open to indicate that loading is taking place.

## Setting Down/Picking up Passengers

To qualify for this exemption the driver must stay with the vehicle.

It is not within the definition for someone to accompany a passenger into a building or to go into the building to collect the passenger. This definition must be applied in all instances EXCEPT:

- during term time and at school start and finish times outside Nursery or Infant schools. At such times, and in such locations, a maximum of 5 minutes is to be allowed for parents to escort their young children into the school premises or to collect them from school premises for reasons of the children's safety.  
**Note:** the above only applies to waiting on yellow lines and does not apply to the no stopping restrictions shown by yellow zig-zag lines.
- within Monkbar car park during term time and at school start and finish times. At such times a maximum of 10 minutes is to be allowed for parents to escort their young children into the school premises or to collect them from school premises for reasons of the children's safety.
- where the passenger is obviously suffering from a disability that makes walking difficult and the following conditions apply:
  - there is no person on hand other than the driver to render assistance to the passenger
  - the vehicle waits for no longer than is necessary for the disabled person to be escorted in or out of adjacent premises.

## **Statutory Undertakers**

This covers the usual providers of Gas, Water, Electricity and Telecommunications but there are now around 100 other organisations, which have this status and are thus covered by this exemption. To qualify the vehicle must be stopped within a reasonable proximity of visible works, which could reasonably be connected with the activity of the company owning the vehicle, and those works must be active.

Case law qualifies the application of this exemption to work, which is being undertaken within the highway. Work that is being undertaken within a building is not covered and the vehicle must park lawfully in such circumstances. If, however, it is clear that the vehicle is in actual use in connection with the works then it would be exempt under the exemption concerning building work. A telecommunications provider working within a building to repair/install a phone connection is not covered by either exemption. The exact circumstances of each case are to be examined by the objection assessment team upon any objection being made, and a judgement made based upon the need for the vehicle to be in close proximity to the work area.

## 4 SUSPENSION OF PARKING

### OFF STREET

#### Short term

The temporary suspension of parking bays within any of the city council's car parks for a period not exceeding 1 day is delegated to the Parking Services Manager. In his/her absence that delegation may be exercised by the Parking Patrol Supervisor or the Divisional Head (Traffic) only.

Bays that are suspended must be physically obstructed in a manner suitable to the circumstances so that it is clear to the motorist that the bay is not available for use.

When a bay is suspended all enforcement staff are to be advised.

Enforcement staff are not to issue a Penalty Charge Notice in a suspended bay without authority from the Parking Services Manager or the Parking Patrol Supervisor or the Assistant Parking Patrol Supervisor.

#### Longer term

The temporary suspension of parking bays within any of the city council's car parks for a period exceeding 1 day may only be undertaken with the specific authorisation of the Head of Network Management. In his/her absence authorisation may be given by the Parking Services Manager. In his/her absence authorisation may be given by the Divisional Head (Traffic).

Bays that are suspended must be physically obstructed in a manner suitable to the circumstances so that it is clear to the motorist that the bay is not available for use.

When a bay is suspended all enforcement staff are to be advised.

Enforcement staff are not to issue a Penalty Charge Notice in a suspended bay without authority from the Parking Services Manager or the Parking Patrol Supervisor or the Assistant Parking Patrol Supervisor.

The code to use when issuing PCN's to vehicles parked in suspended bays in car parks is Code 81 – Parked in a restricted area in a car park.

## **ON STREET**

### **General**

Irrespective of the duration of the required suspension any temporary suspension of On Street parking shall not be undertaken unless there is a valid temporary Traffic Regulation Order in place.

ALL temporary suspensions of On Street parking (other than in an emergency situation) must have the following in place as a minimum:

- ❑ A CyC Standard Advisory Notice erected at suitable points either side of the site of the temporary suspension a minimum of 7 days prior to the first commencement of the suspension. These notices are to be arranged such that they are clearly visible to motorists entering the section to be covered by the temporary suspension of parking. At least one yellow A3 sign must be erected in each street affected and at either end of the street.
- ❑ At least one statutory notice erected in a suitably prominent position every 20 m
- ❑ Temporary No Waiting cones spaced not further apart than every 10 m

The CyC Standard Advisory Notice is to be customised with the details of what is being suspended, for how long and when.

The statutory notice is to be printed on YELLOW paper

In addition, (other than in an emergency situation), every residence and business directly affected by the suspension of the parking bay(s) shall be individually notified in writing a minimum of 7 days prior to the suspension taking effect (i.e. all residents and businesses whose properties front onto the suspended street).

For any temporary suspension of On Street Parking a copy of the relevant temporary Traffic Regulation Order shall be lodged with the Administration Officer within Parking Services.

The Administration Supervisor within Parking Services shall also be provided with:

- ❑ A certificate of erection of Advisory Notices
- ❑ A certificate of erection of the Notice of making the Temporary Traffic Regulation Order.
- ❑ A certificate of notifying adjacent residents/businesses
- ❑ A certificate of placing temporary No Waiting Cones within the length of road covered by the temporary authority to suspend on street parking.

## Certificates

### Advisory Notices

This certificate is to record;

- The name of the street
- The location of Advisory notices
- The time and date of placement
- The name of the person erecting the notices
- The dates and time when the notices were checked recording any replacements or alterations made

### Statutory Notices

This certificate is to record;

- The name of the street
- The location of Statutory notices
- The time and date of placement
- The name of the person erecting the notices
- The dates and time when the notices were checked recording any replacements or alterations made

### Cones

This certificate is to record;

- The name of the street
- The length covered by the placement of cones
- The time of placement
- The name of the person placing the cones
- If the duration is longer than a day, the dates and time when the cones were checked recording any replacements or alterations made

## Authorisation of Temporary Suspension

For suspension to deal with an emergency situation

- The Head of Network Management or the Duty Network Management Officer only

For suspensions not exceeding 1 day

- The Parking Services Manager after consultation with the Traffic Engineer. In his/her absence that delegation may be exercised by the Parking Patrol Supervisor or the Divisional Head (Traffic)

For suspensions exceeding 1 day

- The Head of Network Management. In his/her absence authorisation may be given by the Divisional Head (Traffic) after consultation with the Traffic Engineer. In his/her absence authorisation may be given by the Parking Services Manager.

### Gully and Street Cleaning

- An Annual Traffic Regulation Order will be made however the suspension of On Street parking under this Order on a day to day basis will be exercised by the Council's Director of Neighbourhood Services.
- Prior approval to suspend any specific length of On Street parking is to be sought from the Traffic Engineer a minimum of 14 days ahead of the intended date of suspension.

### **Enforcement**

Parking bays that are suspended must be physically marked by the use of No Waiting cones so that it is clear to the motorist that the bay is not available for use.

No on-street enforcement of a temporary parking suspension is to take place unless all the measures detailed above have been completed.

Parking Attendants must check, before commencing enforcement, that there are sufficient correctly completed A3 signs, and traffic cones in position, and should take photographs of the nearest signs and cones when issuing a PCN to a vehicle.

Any Parking meters within the suspended length are to be hooded

When a bay is suspended all enforcement staff are to be advised.

### **Contravention Codes**

If the suspension relates to an area of on-street pay and display or resident parking bays, then any PCN's must be issued using Code 21 (Parked in a suspended bay/space or part of bay/space)

If the suspension relates to a street where there are not normally any parking restrictions in place, then any PCN's must be issued using either Code 01 (if the suspension imposes waiting restrictions only) or Code 02 (if the suspension imposes waiting and stopping restrictions).



**GENERAL INSTRUCTIONS APPLICABLE TO ALL CASES**

Motorists response	Detail	Action
Parking contravention did not take place	Vehicle was not in location described in the parking contravention	<p>Examine photographs and Attendants notes to check that the vehicle concerned is the same as described on the PCN – use the Vehicle Excise details if necessary. Provide the motorist with copies of any photographic evidence or pocket book notes, including details of the Vehicle Excise Licence. The motorist may then be able to accept that it was their vehicle, or provide evidence to show that it was not. Sometimes there are ‘ringers’ i.e. vehicles displaying vehicle registration plates that are copied from another vehicle, but it is extremely unlikely that they would also have the same VEL details.</p> <p>If Excise disk serial numbers at the time of the parking contravention are the same as that on the PCN, and the make and model of the vehicle is the same as in photographs and as described on PCN then the council will normally REJECT the objection or representation.</p> <p>Otherwise ACCEPT</p>
Was not aware that a restriction applied at that location.	<p>Signs and or lines did not indicate the restriction for which the PCN was issued</p> <p>OR</p> <p>Signing and or lining was not that which lawfully allows the issue of a PCN</p>	<p>Check that the signs and or lines required to enforce the parking contravention were in place at the time of the issue of the PCN – use Attendants pocket book notes and photographic evidence of the parking contravention, or ask a Team Leader to check the signs and lines and take photographs or, if you have time, check them yourself. Do not simply assume that the signs/markings are correct. If necessary refer to Traffic for details of signing/lining in place at the time. If evidence supports or, on the balance of probabilities, the evidence suggests, that the information is true then the PCN must be cancelled.</p> <p>In the case of lines, it is not a requirement of the law that they must be in perfect condition. The council cannot be expected to repaint them at regular intervals, or, indeed, on every occasion when repairs to the road surface may have taken place. What is important is whether or not the state and quality of the lines, at any one time, make it clear to motorists that there are in fact yellow lines there. Lines clearly become worn and faded in varying degrees from time to time for various reasons, but they are still enforceable if a motorist, looking at the quality and state of the lines, would inevitably have to say that, despite their minor imperfections and fading colour, it is nevertheless clear that they are and remain yellow lines.</p> <p>One point that has arisen previously is whether the absence of a T bar at the termination of the lines will invalidate a PCN. The adjudicator has ruled that the absence of a T bar does not automatically render unenforceable the whole yellow line. Each case will depend upon its own particular facts. However the absence of a T bar may persuade the adjudicator that the restriction was not properly signed in the case of a vehicle parked on or near to the end of a restriction.</p> <p>If in doubt REFER to Parking Services Manager for advice.</p>

<b>Motorist's response</b>	<b>Detail</b>	<b>Action</b>
Vehicle had broken down	<p>Visible signs of unavoidable vehicle breakdown or if recovery service in attendance.</p> <p>A maximum of 4 hours is to be allowed if a motor car has broken down, before a penalty charge notice is issued because this is considered a reasonable period of time to remove a broken-down vehicle.</p> <p>A maximum of 2 hours is to be allowed for a Local Bus that has broken down</p>	<p>Seek supporting evidence of breakdown, which would prevent the vehicle from being moved until repaired or towed away. If evidence supports or, on the balance of probabilities, the evidence suggests that the information is true then ACCEPT otherwise REJECT the objection or representation. Note that running out of petrol will not normally constitute vehicle breakdown, as it is reasonably foreseeable.</p>
Passenger or driver was ill or some other emergency circumstances were involved which was beyond the control of the driver and prevented the vehicle from being moved.	<p>Consult Parking Attendant's pocket book and electronic notes for any evidence of circumstances that are described.</p>	<p>Seek medical, or other appropriate evidence, to confirm statement made. If evidence supports or, on the balance of probabilities, the evidence suggests that the information is true: ACCEPT the objection or representation. Otherwise REJECT</p>
Emergency service vehicles being used for fire brigade, ambulance or police purposes. These would normally be expected to be marked vehicles.	<p>Vehicle was being used for an emergency service purpose</p>	<p>Seek evidence from a senior officer within the Emergency Service concerned that the vehicle was engaged in an emergency.</p> <p>If supported ACCEPT Otherwise REJECT</p>

## ON STREET RESTRICTIONS

**TABLE A - PROHIBITED WAITING & LOADING – YELLOW LINES GENERAL**

Parking contravention:

- Parked or loading/unloading in a restricted street where waiting and loading/unloading restrictions are in force (Code 02)

PCN Contravention Code	Valid Exemptions	Motorist's response to issue of PCN	Action
<b>02</b>	<p>Evidence of picking up or setting down passengers and their luggage observed.</p> <p>Sufficient time must be allowed for this activity to take place. Driver should normally be with the vehicle although there are exceptions (e.g. assisting a child or disabled person).</p> <p>Cleansing and refuse vehicles collecting rubbish from the side of the road providing there is clear evidence that the vehicle is in actual use. (NB: This applies to both City of York refuse vehicles and commercial refuse company vehicles).</p>	<p>Passengers were being set down or collected</p> <p>Vehicle was being used for this purpose</p>	<p>If Driver was NOT with the vehicle during observation period or at time of issue <b>REJECT</b> Except in the circumstances outlined in 'Setting Down/Picking Up Passengers (See Page 11).</p> <p>If Driver was with the vehicle during observation period or at time of issue and passengers were being set down or collected. <b>ACCEPT</b> Otherwise <b>REJECT</b></p> <p>If Attendant observed no activity during observation period or at time of issue <b>REJECT</b> If Attendant did observe activity during observation period or at time of issue and the vehicle belongs to a bona fide cleansing or refuse collection company <b>ACCEPT</b> Otherwise <b>REJECT</b></p>

	<p>The vehicle is a Local Bus (i.e. First, Arriva, East Yorkshire) waiting at a signed bus stop for only so long as is necessary to allow passengers to board or alight unless the bus stop is a designated waiting point in which case only so long as is allowed by the plate attached to that bus stop.</p> <p>.</p>	<p>Vehicle was operating a Local Bus Service</p> <p>Passengers were being set down/collected</p>	<p>Seek evidence that the service being provided by the vehicle was registered with the Traffic Commissioners as providing a local service (Transport Act 1985). If evidence supports ACCEPT Otherwise REJECT</p> <p>If Driver was NOT with the vehicle during observation period or at time of issue REJECT Except in the circumstances outlined in 'Setting Down/Picking Up Passengers (See Page 11).</p> <p>If Driver was with the vehicle during observation period or at time of issue and passengers were being set down or collected. ACCEPT Otherwise REJECT</p>
	<p>The vehicle is in actual use and being used for the removal of an obstruction to traffic.</p>	<p>Vehicle was being used for this purpose</p>	<p>Seek evidence from a senior officer within the Police or the Highway Authority that the vehicle was engaged in the removal of an obstruction to traffic. If supported ACCEPT Otherwise REJECT</p>
	<p>Vehicle is being used in accordance with the conditions of a Skip Licence.</p>	<p>Vehicle had a valid Skip Licence</p>	<p>Seek evidence from Highway Liaison and if supported ACCEPT Otherwise REJECT</p>

	<p>Vehicle is parked, stopped or waiting within an authorised vehicular access linking the carriageway of the road to adjacent land or premises.</p>	<p>Vehicle was parked within an authorised vehicular access linking the carriageway of the road to adjacent land or premises.</p>	<p>If evidence that a substantial part of the vehicle projected on to or overhung the carriageway, footway or any part of the verge over which that authorised vehicular access is provided.  REJECT  Otherwise  ACCEPT</p>
	<p>Waiver is on display, valid for the location, date and time.</p>	<p>Waiver was on display/or was valid for location date and time</p>	<p>Seek details from Traffic concerning any Waiver issued for location date and time. If valid Waiver in effect for location date and time  ACCEPT  Otherwise  REJECT</p>
	<p>Vehicle is a liveried Utility Company vehicle providing vehicle is not causing an obstruction and there is clear evidence of the vehicle being connected with work of that Utility in the immediate vicinity.</p>	<p>Vehicle was in use by a Utility Company</p>	<p>Examine photographs and if it would be unreasonable to associate the vehicle with any Utility company i.e. vehicle is unmarked: REJECT  Otherwise seek information from a senior Officer of the Utility Company concerned to confirm that the vehicle was being used in connection with works in the highway. If supported  ACCEPT</p>
	<p>Vehicle is a liveried City of York Council vehicle provided that there is clear evidence of the vehicle being used in connection with statutory works within the immediate vicinity.</p>	<p>Vehicle was in use by the council and providing such a service</p>	<p>Examine photographs and if it would be unreasonable to associate the vehicle with the undertaking of works by the city council on the highway:  REJECT  Otherwise seek information from a senior Officer of Neighbourhood Services to confirm that the vehicle was being used in connection on that day/time and in that location with the undertaking of works in the highway If supported  ACCEPT  Otherwise  REJECT</p>

	<p>A marked vehicle being used by a universal service provider for the collection of postal packets in the course of the provision of a universal postal service.</p>	<p>Vehicle was in use by a Company providing such a service</p>	<p>Examine photographs and if it would be unreasonable to associate the vehicle with the collection/delivery of post/parcels -i.e. vehicle is unmarked  REJECT  Otherwise seek information from a senior Officer of the Company concerned to confirm that the vehicle was being used in connection on that day/time and in that location with the collection/delivery of post/parcels If supported  ACCEPT  Otherwise  REJECT</p>
	<p>Vehicle is being used in accordance with the conditions of Street Trading Licence issued by the Council.</p>	<p>Vehicle had a valid Street Trading Licence</p>	<p>Seek details from Neighbourhood Services concerning any licence issued for location date and time. If valid Waiver in effect for location date and time  ACCEPT with a warning that any further parking contraventions of this nature may result in the PCN being upheld. Otherwise REJECT</p>

## Table B – PROHIBITED WAITING – YELLOW LINES GENERAL

Parking contraventions:

- Parked in a restricted street during prescribed hours (Code 01)
- Parked in a loading place during restricted hours without loading (Code 25)
- Parked for longer than permitted (Code 30 – limited waiting area)

PCN Contravention Codes	Valid Exemptions	Motorist's response to issue of PCN	Action
01 25 30	There is evidence of loading/unloading	Loading or unloading was taking place	<p>Seek evidence that [a] loading or unloading was taking place from the delivery (loading) or collection address (unloading) and [b] goods were of such a weight that they could not reasonably be carried other than in a vehicle.</p> <p>(Refer to notes concerning Loading/Unloading/Delivery &amp; Collection on Pages 8-10)</p> <p>If satisfied that loading/unloading was probably taking place then ACCEPT the objection, otherwise REJECT it.</p>
01	Evidence of picking up or setting down passengers and their luggage observed.	Passengers were being set down/collected	<p>If Driver was NOT with the vehicle during observation period or at time of issue REJECT</p> <p>Except in the circumstances outlined in 'Setting Down/Picking Up Passengers (See Page 9).</p> <p>If Driver was with the vehicle during observation period or at time of issue ACCEPT</p>
01 25 30	Cleansing and refuse vehicles collecting rubbish from the side of the road providing there is clear evidence that the vehicle is in actual use. (NB: This applies to both City of York refuse vehicles and commercial refuse company vehicles).	Vehicle was being used for this purpose	<p>If Attendant observed no activity during observation period or at time of issue REJECT</p> <p>If Attendant did observe activity during observation period or at time of issue and the vehicle belongs to a bona fide cleansing or refuse collection company ACCEPT</p>

<p><b>01 30</b></p>	<p>The vehicle is a Local Bus (i.e. First, Arriva, East Yorkshire) waiting at a signed bus stop for only so long as is necessary to allow passengers to board or alight unless the bus stop is a designated waiting point in which case only so long as is allowed by the plate attached to that bus stop.</p>	<p>Vehicle was operating a Local Bus Service</p> <p>Passengers were being set down/collected</p>	<p>Seek evidence that the service being provided by the vehicle was registered with the Traffic Commissioners as providing a local service (Transport Act 1985). If evidence supports ACCEPT Otherwise REJECT</p> <p>If Driver was NOT with the vehicle during observation period or at time of issue REJECT</p> <p>Except in the circumstances outlined in 'Setting Down/Picking Up Passengers (See Page 9).</p> <p>If Driver was with the vehicle during observation period or at time of issue ACCEPT</p>
<p><b>01 25 30</b></p>	<p>Vehicle is in actual use and being used for the removal of an obstruction to traffic.</p>	<p>Vehicle was being used for this purpose</p>	<p>Seek evidence from a senior officer within the Police or the Highway Authority that the vehicle was engaged in the removal of an obstruction to traffic. If supported ACCEPT Otherwise REJECT</p>
<p><b>01 25 30</b></p>	<p>Vehicle is being used in accordance with the conditions of a Skip Licence.</p>	<p>Vehicle had a valid Skip Licence</p>	<p>Seek evidence from Highway Liaison and if supported ACCEPT Otherwise REJECT</p>



<p><b>01 30</b></p>	<p>Vehicle is parked, stopped or waiting within an authorised vehicular access linking the carriageway of the road to adjacent land or premises.</p>	<p>Vehicle was parked within an authorised vehicular access linking the carriageway of the road to adjacent land or premises.</p>	<p>If evidence that a substantial part of the vehicle projected onto or overhung the carriageway, footway or any part of the verge over which that authorised vehicular access is provided. REJECT Otherwise ACCEPT</p>
<p><b>01 25 30</b></p>	<p>Waiver is on display in the vehicle, valid for the location, date and time.</p>	<p>Waiver was on display/or was valid for location date and time</p>	<p>Seek details from Traffic concerning any Waiver issued for location date and time. If valid Waiver in effect for location date and time ACCEPT Otherwise REJECT</p>
<p><b>01 25 30</b></p>	<p>Vehicle is a liveried Utility Company vehicle, providing vehicle is not causing an obstruction and there is clear evidence of the vehicle being connected with work of that Utility in the immediate vicinity.</p>	<p>Vehicle was in use by a Utility Company</p>	<p>Examine photographs and, if it would be unreasonable to associate the vehicle with any Utility company – i.e. vehicle is unmarked – then: REJECT Otherwise seek information from a senior Officer of the Utility Company concerned to confirm that the vehicle was being used in connection with works in the highway. If supported ACCEPT</p>
<p><b>01 25 30</b></p>	<p>A marked vehicle being used by a universal service provider for the collection of postal packets in the course of the provision of a universal postal service.</p>	<p>Vehicle was in use by a Company providing such a service</p>	<p>Examine photographs and if it would be unreasonable to associate the vehicle with the collection/delivery of post/parcels -i.e. vehicle is unmarked, then: REJECT Otherwise seek information from a senior Officer of the Company concerned to confirm that the vehicle was being used in connection on that day/time and in that location with the collection/delivery of post/parcels If supported ACCEPT Otherwise REJECT</p>

<p><b>01</b></p>	<p>Vehicle being used for building demolition, excavation or construction; scaffolding lorries and glaziers carrying out work in or adjacent to street and in connection with the movement of a skip.</p>	<p>Vehicle was in use for this purpose</p>	<p>If there is evidence that the vehicle had to be present to enable works to be undertaken then ACCEPT Otherwise seek information from a senior Officer of the Company concerned to confirm that the vehicle was being used in connection on that day/time and in that location with works that meant that the vehicle had to be present. If supported ACCEPT Otherwise REJECT</p>
<p><b>01 30</b></p>	<p>The main funeral or wedding vehicle in a funeral or wedding cortege.  All other vehicles must park legally.</p>	<p>Vehicle was in use for this purpose</p>	<p>If satisfied that the vehicle was the main funeral or wedding vehicle then ACCEPT If not satisfied REFER to Parking Services Manager for decision</p>
<p><b>01 30</b></p>	<p>The vehicle is displaying a valid Disabled Person's Badge and correctly set time clock for a maximum of 3 hours</p>	<p>Blue Badge is valid and Time clock was set</p>	<p>Check duration of observed waiting. If over 3 hours and 10 minutes REJECT Check location and if vehicle was at a location that the Disabled Badge is not valid for or if the vehicle has left its original parking place and returned to it within 60 minutes. REJECT  If issue was because badge was not on display or was incorrectly displayed or time clock was not set/incorrectly set and this is the first parking contravention ACCEPT with a warning that any further parking contraventions of this nature may result in the PCN being upheld. Otherwise REJECT</p>
<p><b>30</b></p>	<p>Vehicle is a motorcycle</p>	<p>Vehicle is a Motor Cycle (Less than 4 wheels)</p>	<p>Check evidence – if vehicle is a Motor Cycle ACCEPT if incorrect REJECT.</p>

<p><b>01</b></p>	<p>Vehicle is being used in accordance with the conditions of Street Trading Licence issued by the Council.</p>	<p>Vehicle had a valid Street Trading Licence</p>	<p>Seek details from Neighbourhood Services concerning any Licence issued for location date and time. If valid Waiver in effect for location date and time ACCEPT with a warning that any further parking contraventions of this nature may result in the PCN being upheld. Otherwise REJECT</p>
<p><b>01</b></p>	<p>Vehicle is a Hackney Carriage licensed by the Council standing for hire on a valid Hackney Carriage stand and wholly within the boundary of that stand.</p> <p>A Hackney Carriage standing outside the limits of the authorised stand is to be treated as any other waiting vehicle and, if the driver will not move on, a PCN is to be issued. In the case of difficulty report plate number to Parking Patrol Supervisor.</p>	<p>Vehicle was a Hackney Carriage standing on a valid Hackney Carriage stand.</p>	<p>Examine photographs and if clear that the vehicle was a Hackney Carriage and it was completely within the boundary of the Taxi stand and the stand was in operation at the date/time of the parking contravention ACCEPT  Otherwise seek third party confirmation that at the date/time of the parking contravention the vehicle was wholly within the boundary of that stand AND seek confirmation from Taxi Licensing that vehicle is a licensed Hackney Carriage. If vehicle confirmed as licensed and, on the balance of probabilities, third party evidence supports the location of it with a valid stand ACCEPT  Otherwise REJECT</p>
<p><b>01 30</b></p>	<p>Vehicle is a liveried City of York Council vehicle provided that there is clear evidence of the vehicle being used in connection with statutory works within the immediate vicinity.</p>	<p>Vehicle was in use by the council and providing such a service</p>	<p>Examine photographs and, if it would be unreasonable to associate the vehicle with the undertaking of works by the city council on the highway: REJECT  Otherwise seek information from a senior Officer of Neighbourhood Services to confirm that the vehicle was being used in connection on that day/time and in that location with the undertaking of works in the highway. If supported: ACCEPT  Otherwise REJECT</p>

## PROHIBITED STOPPING – SPECIAL RESTRICTIONS

**Table C – Bus Stop Clearways, Clearways, Restricted No Stopping Areas outside Schools and Specific On-Street Bays (except Disabled Bays)**

Parking contravention:

- Parked in a parking place or area not designated for that class of vehicle (Code 23)
- Parked in a parking place designated for police vehicles (Code 42)
- Parked on a taxi rank (Code 45)
- Stopped where prohibited on a clearway (Code 46)
- Stopped on a restricted bus stop/stand (Code 47)
- Stopped in a restricted area outside a school (Code 48)

PCN Contravention Codes	Valid Exemptions	Motorist's response to issue of PCN	Action
46 47 48	Evidence of picking up or setting down passengers and their luggage observed. Note that this exemption only applies to Bus Stop Clearways except in the circumstances outlined in 'Setting Down/Picking Up Passengers (See Page 11) and only to Clearways where the verge and footway are also included in the restriction.	Passengers were being set down/collected	If Driver was NOT with the vehicle during observation period or at time of issue: REJECT If Driver was with the vehicle during observation period or at time of issue: ACCEPT  Except in the circumstances outlined in 'Setting Down/Picking Up Passengers (See Page 11).
23 42 45 46 47 48	Cleansing and refuse vehicles collecting rubbish from the side of the road providing there is clear evidence that the vehicle is in actual use.  (NB: This applies to both City of York refuse vehicles and commercial refuse company vehicles).	Vehicle was being used for this purpose	If Attendant observed no activity during observation period or at time of issue: REJECT If Attendant did observe activity during observation period or at time of issue and the vehicle belongs to a bona fide cleansing or refuse collection company: ACCEPT
47	The vehicle is a Local Bus (i.e. First, Arriva, East Yorkshire) waiting at a signed bus stop for only so long as is necessary to allow passengers to board or alight unless the bus stop is a designated waiting point in which case only so long as is allowed by the plate attached to that bus stop.	Vehicle was operating a Local Bus Service	Seek evidence that the service being provided by the vehicle was registered with the Traffic Commissioners as providing a local service (Transport Act 1985). If evidence supports ACCEPT Otherwise REJECT

<p>23 42 45 46 47 48</p>	<p>Vehicle is in actual use and being used for the removal of an obstruction to traffic.</p>	<p>Vehicle was being used for this purpose</p>	<p>Seek evidence from a senior officer within the Police or the Highway Authority that the vehicle was engaged in the removal of an obstruction to traffic. If supported ACCEPT Otherwise REJECT</p>
<p>48</p>	<p>Vehicle is stopped or waiting within an authorised vehicular access linking the carriageway of the road to adjacent land or premises.</p>	<p>Vehicle was parked within an authorised vehicular access linking the carriageway of the road to adjacent land or premises.</p>	<p>If evidence that part of the vehicle projected on to or overhung the carriageway, footway or any part of the verge over which that authorised vehicular access is provided. REJECT Otherwise ACCEPT</p>
<p>23 42 45 46 48</p>	<p>Is a vehicle waiting only for so long as necessary while any gate or other barrier at the entrance to the premises to which that vehicle requires access or from which it has emerged is opened or closed.</p>	<p>Vehicle was being used for this purpose</p>	<p>If Driver was NOT with the vehicle during observation period or at time of issue REJECT If Driver was with the vehicle during observation period or at time of issue ACCEPT</p>
<p>23 42 45 46 48</p>	<p>Vehicle is a liveried Utility Company vehicle providing vehicle is not causing an obstruction and there is clear evidence of the vehicle being connected with work of that Utility in the immediate vicinity.</p>	<p>Vehicle was in use by a Utility Company</p>	<p>Examine photographs and if it would be unreasonable to associate the vehicle with any Utility company – i.e.unmarked vehicle: REJECT Otherwise seek information from a senior Officer of the Utility Company concerned to confirm that the vehicle was being used in connection with works in the highway. If supported ACCEPT</p>

<p>23 42 45 46 48</p>	<p>Vehicle is a liveried City of York Council vehicle provided that there is clear evidence of the vehicle being used in connection with statutory works within the immediate vicinity.</p>	<p>Vehicle was in use by the council and providing such a service</p>	<p>Examine photographs and if it would be unreasonable to associate the vehicle with the undertaking of works by the city council on the highway REJECT Otherwise seek information from a senior Officer of Neighbourhood Services to confirm that the vehicle was being used in connection on that day/time and in that location with the undertaking of works in the highway If supported ACCEPT Otherwise REJECT</p>
<p>23 42 45 46 48</p>	<p>Vehicle is being used in accordance with the conditions of a Skip Licence.</p>	<p>Vehicle had a valid Skip Licence</p>	<p>Seek evidence from Highway Liaison and if supported ACCEPT Otherwise REJECT</p>
<p>46</p>	<p>A marked vehicle being used by a universal service provider for the collection of postal packets in the course of the provision of a universal postal service.</p>	<p>Vehicle was in use by a Company providing such a service</p>	<p>Examine photographs and if it would be unreasonable to associate the vehicle with the collection/delivery of post/parcels - i.e. unmarked vehicle: REJECT Otherwise seek information from a senior Officer of the Company concerned to confirm that the vehicle was being used in connection on that day/time and in that location with the collection/delivery of post/parcels If supported ACCEPT Otherwise REJECT</p>
<p>46</p>	<p>There is evidence of loading/unloading (if in any doubt as to whether the activity taking place qualifies as loading/unloading see above definition). Note that this exemption only applies to Clearways where the verge and footway are included in the restriction.</p>	<p>Loading or unloading was taking place</p>	<p>Seek evidence that [a] loading or unloading was taking place from the delivery (loading) or collection address (unloading) and [b] goods were of such a weight that they could not reasonably be carried other than in a vehicle.  (Refer to notes concerning Loading/Unloading/Delivery &amp; Collection on Pages 8-10)  If satisfied that loading/unloading was taking place then ACCEPT the objection, otherwise REJECT it.</p>

## PERMITTED WAITING

**Table D – On Street Pay and Display, Residents Parking Bays and Shared Use Bays - General exemptions and Protocols**

PCN Contravention Codes	Valid Exemptions	Motorist's response to issue of PCN	Action
05 06 19	If Pay & Display machine is "Out of Order" providing that there are no operating machines within the immediate vicinity (i.e. visible from the out of order machine and within 2 minutes walk of it)	Unable to pay due to machine failure	Check with Machine Fault Records to determine if machine had been reported faulty on the day of issue. If so and it would be unreasonable to expect a customer to use a nearby working machine ACCEPT Otherwise REJECT
24	Vehicle was out of bay but was not causing an obstruction.	Impossible to park within marked bay due to size of vehicle  Impossible to park within marked bay due to presence of other badly parked vehicles  Vehicle was not causing an obstruction.	Examine photographs and Attendants notes If evidence supports or, on the balance of probabilities, the evidence suggests that vehicle was not causing an obstruction then ACCEPT the objection with a warning to ensure that they park within a bay in future, as any further PCN's may not be cancelled. If the vehicle clearly was parked out of a bay (two or more wheels are outside of the bay and not touching the bay markings) and was causing an obstruction then REJECT the objection.
06 15 16 19	There is evidence of loading/unloading .	Loading or unloading was taking place	Seek evidence that [a] loading or unloading was taking place from the delivery (loading) or collection address (unloading) and [b] goods were of such a weight that they could not reasonably be carried other than in a vehicle.  (Refer to notes concerning Loading/Unloading/Delivery & Collection on Pages 8-10)  If satisfied that loading/unloading was taking place then ACCEPT the objection, otherwise REJECT it.

<p><b>06</b> <b>15</b> <b>16</b> <b>19</b> <b>21</b></p>	<p>Evidence of picking up or setting down passengers and their luggage observed.</p>	<p>Passengers were being set down/collected</p>	<p>If Driver was NOT with the vehicle during observation period or at time of issue: REJECT If Driver was with the vehicle during observation period or at time of issue ACCEPT</p> <p>Except in the circumstances outlined in 'Setting Down/Picking Up Passengers (See Page 11).</p>
<p><b>06</b> <b>15</b> <b>16</b> <b>19</b> <b>21</b></p>	<p>Cleansing and refuse vehicles collecting rubbish from the side of the road providing there is clear evidence that the vehicle is in actual use. (NB: This applies to both City of York refuse vehicles and commercial refuse company vehicles).</p>	<p>Vehicle was being used for this purpose</p>	<p>If Attendant observed no activity during observation period or at time of issue REJECT If Attendant did observe activity during observation period or at time of issue and the vehicle belongs to a bona fide cleansing or refuse collection company ACCEPT</p>
<p><b>06</b> <b>15</b> <b>16</b> <b>19</b> <b>21</b></p>	<p>Vehicle is in actual use and being used for the removal of an obstruction to traffic.</p>	<p>Vehicle was being used for this purpose</p>	<p>Seek evidence from a senior officer within the Police or the Highway Authority that the vehicle was engaged in the removal of an obstruction to traffic. If supported ACCEPT Otherwise REJECT</p>
<p><b>06</b> <b>15</b> <b>16</b> <b>19</b> <b>21</b></p>	<p>Vehicle was being used in accordance with the conditions of a Skip Licence.</p>	<p>Vehicle had a valid Skip Licence</p>	<p>Seek evidence from Highway Liaison and if supported ACCEPT Otherwise REJECT</p>
<p><b>06</b> <b>15</b> <b>16</b> <b>19</b> <b>21</b></p>	<p>Waiver is on display, valid for the location, date and time.</p>	<p>Waiver was on display/or was valid for location date and time</p>	<p>Seek details from Traffic concerning any Waiver issued for location date and time. If valid Waiver in effect for location date and time ACCEPT Otherwise REJECT</p>



<p><b>06</b> <b>15</b> <b>16</b> <b>19</b> <b>21</b></p>	<p>Vehicle is a liveried Utility Company vehicle, providing vehicle is not causing an obstruction, and there is clear evidence of the vehicle being connected with work of that Utility in the immediate vicinity.</p>	<p>Vehicle was in use by a Utility Company</p>	<p>Examine photographs and if it would be unreasonable to associate the vehicle with any Utility company – i.e. unmarked vehicle: REJECT Otherwise seek information from a senior Officer of the Utility Company concerned to confirm that the vehicle was being used in connection with works in the highway. If supported ACCEPT Otherwise REJECT</p>
<p><b>06</b> <b>15</b> <b>16</b> <b>19</b> <b>21</b></p>	<p>A marked vehicle being used by a universal service provider for the collection of postal packets in the course of the provision of a universal postal service.</p>	<p>Vehicle was in use by a Company providing such a service</p>	<p>Examine photographs and if it would be unreasonable to associate the vehicle with the collection/delivery of post/parcels -i.e. unmarked vehicle REJECT Otherwise seek information from a senior Officer of the Company concerned to confirm that the vehicle was being used in connection on that day/time and in that location with the collection/delivery of post/parcels If supported ACCEPT Otherwise REJECT</p>
<p><b>06</b> <b>15</b> <b>16</b> <b>19</b> <b>21</b></p>	<p>Vehicle being used for building demolition, excavation or construction; scaffolding lorries and glaziers carrying out work in or adjacent to street and in connection with the movement of a skip.</p>	<p>Vehicle was in use for this purpose</p>	<p>If there is evidence that the vehicle had to be present to enable works to be undertaken then ACCEPT Otherwise seek information from a senior Officer of the Company concerned to confirm that the vehicle was being used in connection on that day/time and in that location with works that meant that the vehicle had to be present If supported ACCEPT Otherwise REJECT</p>
<p><b>06</b> <b>15</b> <b>16</b> <b>19</b> <b>21</b></p>	<p>The main funeral or wedding vehicle in a funeral or wedding cortege.  All other vehicles must park legally.</p>	<p>Vehicle was in use for this purpose</p>	<p>If satisfied that the vehicle was the main funeral or wedding vehicle then ACCEPT If not satisfied REFER to Parking Services Manager for decision</p>

<p><b>06</b> <b>15</b> <b>16</b> <b>19</b></p>	<p>The vehicle is displaying a valid Disabled Person's Badge</p>	<p>Blue Badge is valid</p>	<p>Check validity of badge. If invalid REJECT Check location and if vehicle was at a location that the a Disabled Badge is not valid for or if the vehicle has left its original parking place and returned to it within 60 minutes. REJECT If issue was because badge was not on display or was incorrectly displayed or time clock was not set/incorrectly set AND this is the first parking contravention ACCEPT with a warning that any further parking contraventions of this nature may result in the PCN being upheld. Otherwise REJECT</p>
<p><b>06</b> <b>15</b> <b>16</b> <b>19</b> <b>21</b></p>	<p>Vehicle is being used in accordance with the conditions of a Street Trading Licence issued by the Council.</p>	<p>Vehicle had a valid Street Trading License</p>	<p>Seek details from Neighbourhood Services concerning any License issued for location date and time. If valid Waiver in effect for location date and time ACCEPT with a warning that any further parking contraventions of this nature may result in the PCN being upheld. Otherwise REJECT</p>
<p><b>06</b> <b>15</b> <b>16</b> <b>19</b></p>	<p>Vehicle is a motorcycle</p>	<p>Vehicle is a Motor Cycle (Less than 4 wheels)</p>	<p>Check evidence – if vehicle is a motor cycle ACCEPT if incorrect REJECT.</p>
<p><b>06</b> <b>15</b> <b>16</b> <b>19</b> <b>21</b></p>	<p>Vehicle is a liveried City of York Council vehicle provided that there is clear evidence of the vehicle being used in connection with statutory works within the immediate vicinity.</p>	<p>Vehicle was in use by a the council and providing such a service</p>	<p>Examine photographs and if it would be unreasonable to associate the vehicle with the undertaking of works by the city council on the highway REJECT Otherwise seek information from a senior Officer of Commercial Services to confirm that the vehicle was being used in connection on that day/time and in that location with the undertaking of works in the highway If supported ACCEPT Otherwise REJECT</p>

## Table E – On Street Pay and Display

Parking contravention:

- Parked after the expiry of paid for time (Code 05)
- Parked without clearly displaying a valid pay & display ticket (Code 06)
- Parked with payment made to extend the stay beyond initial time (Code 07)
- Parked in a parking place without clearly displaying the required permit or pay and display ticket (Code 19)
- Parked in a suspended bay/space or part of bay/space (Code 21)
- Re-parked in the same parking place within one hour of leaving (Code 22)
- Parked in a parking place or area not designated for that class of vehicle (Code 23)
- Not parked correctly within the markings of the bay or space (Code 24)

PCN Contravention Codes	Valid Exemptions	Motorist's response to issue of PCN	Action
06 19	A vehicle which displays a valid Pay and Display ticket and is still within the paid for period of waiting purchased except that this exemption shall not apply if the vehicle has left its original parking place and returned to it within 60 minutes	Paid for parking – has ticket	Check that the time of issue was on the same date as, but prior to the issue of the PCN, and for the location where the PCN was issued. If time prior to time of issue of PCN and this is the first parking contravention: ACCEPT with a warning that a pay and display ticket must be clearly displayed and that any further parking contraventions of this nature may result in the PCN being upheld. Otherwise REJECT
22	Vehicles may return to the parking place when at least 60 minutes has elapsed.	Paid but did not return within 60 minutes to the same parking place	Examine photographs and Attendants pocket book notes, in particular the recorded vehicle wheel valve positions at time first seen and time issued. If evidence supports the issue of the PCN or, on the balance of probabilities the evidence suggests that the information is true then REJECT the objection, if evidence is unclear then ACCEPT the objection.

<p><b>05</b></p>	<p>A Valid unexpired ticket is on display in the vehicle.</p>	<p>Ticket had expired but by less than 10 minutes and there were mitigating circumstances.</p>	<p>Check that the time of issue was on the same date as, but prior to the issue of the PCN, and for the location where the PCN was issued. If time prior to time of issue of PCN and this is the first parking contravention ACCEPT with a warning that any further parking contraventions of this nature may result in the PCN being upheld. Otherwise REJECT</p>
<p><b>19</b></p>	<p>A valid council permit is on display i.e. frequent user permit.</p>	<p>A valid permit was on display.</p>	<p>Check records and if incorrect REJECT Otherwise, if the parking contravention is the first within 12 months ACCEPT with a warning to display permit correctly, and that any further parking contraventions of this nature may result in the PCN being upheld.</p>
	<p>Other exemptions as Table D</p>	<p>Other motorist's responses as Table D</p>	<p>Other actions as Table D</p>

## Table F – On Street Pay and Display - Foss Islands Road Special area

Parking contravention:

- Parked after the expiry of paid for time (Code 05)
- Parked without clearly displaying a valid pay & display ticket (Code 06)
- Parked in a permit space without displaying a valid permit (Code 16)
- Parked in a suspended bay/space or part of bay/space (Code 21)
- Re-parked in the same parking place within one hour of leaving (Code 22)
- Parked in a parking place or area not designated for that class of vehicle (Code 23)
- Not parked correctly within the markings of the bay or space (Code 24)

PCN Contravention Codes	Valid Exemptions	Motorist's response to issue of PCN	Action
<b>05</b> <b>06</b>	A vehicle which is displaying a valid City Council Market Traders Permit together with the appropriate pay and display ticket.	Vehicle did have a valid permit and ticket.	Seek details from Markets manager concerning any permits issued for vehicle or individual concerned. If valid permit in effect for location date and time ACCEPT with a warning that any further parking contraventions of this nature may result in the PCN being upheld. Otherwise REJECT
	Other Exemptions as Table D	Other responses as Table D	Other actions as Table D

## Table G – Residents parking bays

Parking contravention:

- Parked in a residents' parking space without clearly displaying a valid resident's parking permit space (Code 15)
- Parked in a permit space without displaying a valid permit (Code 16)
- Parked in a suspended bay/space or part of bay/space (Code 21)
- Re-parked in the same parking place within one hour of leaving (Code 22)
- Parked in a parking place or area not designated for that class of vehicle (Code 23)
- Not parked correctly within the markings of the bay or space (Code 24)

PCN Contravention Codes	Valid Exemptions	Motorist's response to issue of PCN	Action
22	A vehicle which is still within the permitted period of waiting allowed without a permit except that this exemption shall not apply if the vehicle has left its original parking place and returned to it within 60 minutes.	Did not return within 60 minutes to the same parking street.	Examine photographs and Attendants pocket book notes, in particular the recorded vehicle wheel valve positions at time first seen and time issued. If evidence supports the issue of the PCN or, on the balance of probabilities, the evidence suggests that the information is true then REJECT the objection, if evidence is unclear then ACCEPT the objection.
15	Vehicle is displaying a valid Official Parking Permit for All Zones.	Had valid Parking Permit for all zones.	Check records and if incorrect REJECT Otherwise seek information about the reason that the vehicle was parked in the location concerned at the time and date of the parking contravention. If reason complies with the conditions of use of issue of the permit and the parking contravention is the first within 12 months ACCEPT with a warning to display the permit correctly and that any further parking contraventions of this nature may result in the PCN being upheld. Otherwise REJECT
15	Motor cycle with less than 4 wheels.	Vehicle is a solo motorcycle, moped or scooter	Verify the status of the vehicle and if correct ACCEPT Otherwise REJECT

<p><b>15 16</b></p>	<p>Vehicle is displaying a valid resident's parking permit for the appropriate zone</p>	<p>Had valid Parking Permit for the Zone where the PCN was issued</p>	<p>Check records and if incorrect REJECT Otherwise, if the parking contravention is the first within 12 months ACCEPT with a warning to display permit correctly, and that any further parking contraventions of this nature may result in the PCN being upheld.</p>
<p><b>15 16</b></p>	<p>Vehicle is stopped or waiting within an authorised vehicular access linking the carriageway of the road to adjacent land or premises.</p> <p>Other exemptions as Table D</p>	<p>Vehicle was parked within an authorised vehicular access linking the carriageway of the road to adjacent land or premises.</p> <p>Other reasons as Table D</p>	<p>If evidence that part of the vehicle projected on to or overhung the carriageway, footway or any part of the verge over which that authorised vehicular access is provided. REJECT Otherwise ACCEPT</p> <p>Other actions as Table D</p>

## Table G – Pay and Display/Residents Parking area Shared Use

Parking contravention:

- Parked after the expiry of paid for time at a pay and display bay (Code 05)
- Parked in a parking place without clearly displaying the required permit or pay and display ticket (Code 19)
- Parked in a suspended bay/space or part of bay/space (Code 21)
- Re-parked in the same parking place within one hour of leaving (Code 22)
- Not parked correctly within the markings of the bay or space (Code 24)

PCN Contravention Codes	Valid Exemptions	Motorist's response to issue of PCN	Action
19	A vehicle which displays a valid pay and display ticket except that this exemption shall not apply if the vehicle has left its original parking place and returned to it within 60 minutes.	Paid for parking – has ticket	Check that the time of issue was on the same date as but prior to the issue of the PCN and for the location where the PCN was issued. If time prior to time of issue of PCN, and this is the first parking contravention: ACCEPT with a warning that a pay and display ticket must be clearly displayed and that any further parking contraventions of this nature may result in the PCN being upheld. Otherwise REJECT
05	A vehicle which displays a valid pay and display ticket.	Ticket had expired but by less than 10 minutes and there were mitigating circumstances.	Check that the time of issue was on the same date as but prior to the issue of the PCN and for the location where the PCN was issued. If time prior to time of issue of PCN, and this is the first parking contravention: ACCEPT with a warning that any further parking contraventions of this nature may result in the PCN being upheld. Otherwise REJECT
22	Vehicles may return to the parking place when at least 60 minutes has elapsed.	Did not return within 60 minutes to the same parking place	Examine photographs and Attendants pocket book notes, in particular the recorded vehicle wheel valve positions at time first seen and time issued. If evidence supports the issue of the PCN or, on the balance of probabilities, the evidence suggests that the information is true then REJECT the objection, if evidence is unclear then ACCEPT the objection.



<p><b>19</b></p>	<p>Vehicle is displaying a valid Parking Permit for All Zones?</p>	<p>Had valid Parking Permit for All Zones</p>	<p>Check records and if incorrect  <b>REJECT</b>  Otherwise seek information about the reason that the vehicle was parked in the location concerned at the time and date of the parking contravention. If reason complies with the conditions of use of issue of the permit and the parking contravention is the first within 12 months:  <b>ACCEPT</b> with a warning that any further parking contraventions of this nature may result in the PCN being upheld.</p>
<p><b>19</b></p>	<p>Vehicle is displaying a valid resident's parking permit for the appropriate zone</p>	<p>Had valid Parking Permit for the Zone when the PCN was issued</p>	<p>Check records and if incorrect  <b>REJECT</b>  Otherwise if the parking contravention is the first within 12 months:  <b>ACCEPT</b> with a warning that any further parking contraventions of this nature may result in the PCN being upheld.</p>
	<p>Other exemptions as Table D</p>	<p>Other appellants reasons as Table D</p>	<p>Other actions as Table D</p>

## Table H – Disabled Badge Holder Bays

Parking contravention:

- Parked in a designated disabled person’s parking place without clearly displaying a valid disabled person’s badge (Code 40)

PCN Contravention Codes	Valid Exemptions	Motorist’s response to issue of PCN	Action
40	The vehicle is displaying a valid Disabled Person's Badge	Blue Badge is valid	Check validity of badge. If invalid REJECT  If the PCN was issued because badge was not on display or was incorrectly displayed, and this is the first parking contravention: ACCEPT the objection with a warning that any further parking contraventions of this nature may result in the PCN being upheld. Otherwise REJECT the objection.
40	Cleansing and refuse vehicles collecting rubbish from the side of the road providing there is clear evidence that the vehicle is in actual use. (NB: This applies to both City of York refuse vehicles and commercial refuse company vehicles).	Vehicle was being used for this purpose	If Attendant observed no activity during observation period, or at time of issue: REJECT. If Attendant did observe activity during observation period, or at time of issue, and the vehicle belongs to a bona fide cleansing or refuse collection company ACCEPT
40	Emergency service vehicles in an emergency (Fire Service, Police, Ambulance).	Vehicle was being used for this purpose	Seek evidence from a senior officer within the Emergency Service concerned that the vehicle was engaged in an emergency. If supported ACCEPT Otherwise REJECT
40	Vehicle was being used in accordance with the conditions of a Skip Licence.	Vehicle had a valid Skip Licence	Seek evidence from Highway Liaison and if supported ACCEPT Otherwise REJECT

40	Vehicle is a liveried Utility Company vehicle providing vehicle is not causing an obstruction and there is clear evidence of the vehicle being connected with work of that Utility in the immediate vicinity.	Vehicle was in use by a Utility Company	Examine photographs and if it would be unreasonable to associate the vehicle with any Utility company – i.e. unmarked vehicle: REJECT Otherwise seek information from a senior Officer of the Utility Company concerned to confirm that the vehicle was being used in connection with works in the highway. If supported ACCEPT Otherwise REJECT
40	Vehicle is a liveried City of York Council vehicle, provided that there is clear evidence of the vehicle being used in connection with statutory works within the immediate vicinity.	Vehicle was in use by the council and providing such a service.	Examine photographs and, if it would be unreasonable to associate the vehicle with the undertaking of works by the city council on the highway: REJECT. Otherwise seek information from a senior Officer of Commercial Services to confirm that the vehicle was being used in connection on that day/time and in that location with the undertaking of works in the highway. If supported ACCEPT Otherwise REJECT
40	Vehicle is in actual use and being used for the removal of an obstruction to traffic.	Vehicle was being used for this purpose	Seek evidence from a senior officer within the Police or the Highway Authority that the vehicle was engaged in the removal of an obstruction to traffic. If supported ACCEPT Otherwise REJECT

# OFF STREET RESTRICTIONS

**Table I – ALL CAR PARKS EXCEPT ST LEONARD’S PLACE & SHAMBLES**

Parking contraventions:

- Parked without payment of the parking charge (Code 73)
- Parked for longer than the maximum period permitted (Code 80)
- Parked in a restricted area in a car park (Code 81)
- Parked after the expiry of paid for time (Code 82)
- Parked in a pay & display car park without clearly displaying a valid pay & display ticket (Code 83)
- Parked with additional payment made to extend the stay beyond time first purchased (Code 84)
- Parked in a permit bay without clearly displaying a valid permit (Code 85)
- Parked beyond the bay markings (Code 86)
- Parked in a disabled person’s parking space without clearly displaying a valid disabled person’s badge (Code 87)
- Vehicle parked exceeds maximum weight and/or height and/or length permitted in the area (Code 89)
- Re-parked within one hour of leaving a bay or space in a car park (Code 90)
- Parked in a car park or area not designated for that class of vehicle (Code 91)
- Parked causing an obstruction (Code 92)
- Parked in a car park when closed (Code 93)
- Parked in a parking place for a purpose other than the designated purpose for the parking place (Code 95)

PCN Contravention Codes	Valid Exemptions	Motorist’s response to issue of PCN	Action
73 83 85	A vehicle which displays a valid Pay and Display ticket or permit or has paid for parking by means of the Verrus Mobile Phone system and is still within the paid for period of waiting purchased	Paid for parking – has ticket or permit.	Check that the time of issue was on the same date as, but prior to the issue of the PCN, and for the location where the PCN was issued. If time prior to time of issue of PCN and this is the first parking contravention: ACCEPT with a warning that any further parking contraventions of this nature may result in the PCN being upheld because it is the customer’s responsibility to display a ticket or permit correctly. Otherwise REJECT

73	A vehicle which displays a valid Pay and Display ticket or permit or has paid for parking by means of the Verrus Mobile Phone system and is still within the paid for period of waiting purchased	Paid for parking using Verrus system	Check with Verrus system that a purchase of parking was made prior to the time and date of issue of the PCN and for the location where the PCN was issued. If record confirms ACCEPT. Otherwise ask appellant to provide documentary evidence from credit/debit card records that payment was taken. If evidence supports or, on the balance of probabilities the evidence suggests that the information is true ACCEPT Otherwise REJECT
82	A vehicle which displays a valid Pay and Display ticket or permit or has paid for parking by means of the Verrus Mobile Phone system and is still within the paid for period of waiting purchased.	Paid incorrect amount but has ticket, for example - paid the resident discount rate instead of full rate.  Ticket had expired but by less than 10 minutes and there were mitigating circumstances.	Check that the time of issue was on the same date as, but prior to the issue of the PCN, and for the location where the PCN was issued. If time prior to time of issue of PCN and this is the first parking contravention: ACCEPT with a warning that any further parking contraventions of this nature may result in the PCN being upheld. Otherwise REJECT
90	In short stay car parks vehicles may only return to the parking place when at least 60 minutes has elapsed since they left.	Did not return within 60 minutes to the same parking place	Examine photographs and Attendants pocket book notes, in particular the recorded vehicle wheel valve positions at time first seen and time issued. If evidence supports the issue of the PCN or, on the balance of probabilities, the evidence suggests that the information is true then REJECT the objection, if evidence is unclear then ACCEPT the objection.
73 83	If Pay & Display machine is "Out of Order" provided that there are no operating machines within the immediate vicinity (i.e. visible from the out of order machine and within 2 minutes walk of it)	Unable to pay due to machine failure	Check with Machine Fault Records to determine if machine had been reported faulty on the day of the issue. If so and it would be unreasonable to expect a customer to use an nearby working machine: ACCEPT Otherwise REJECT

86	Vehicle was out of bay but was not causing an obstruction.	<p>Impossible to park within marked bay due to size of vehicle</p> <p>Impossible to park within marked bay due to presence of other badly parked vehicles</p>	<p>Examine photographs and Attendants notes, if evidence supports or, on the balance of probabilities, the evidence suggests that vehicle was not causing an obstruction then ACCEPT the objection with a warning to ensure that they park within a bay in future, as any further PCN's may not be cancelled.</p> <p>If the vehicle clearly was parked out of a bay (two or more wheels are outside of the bay and not touching the bay markings) and was causing an obstruction, then REJECT the objection.</p>
73 83	A vehicle which displays a valid Special Event permit.	A Valid Permit was on display/or was valid for location date and time	<p>Seek details from Parking Service Manager concerning any Special Event Permits issued for location date and time. If valid Permit in effect for location date and time: ACCEPT Otherwise REJECT</p>
73 83	Cleansing and refuse vehicles collecting rubbish from the car park providing there is clear evidence that the vehicle is in actual use. (NB: This applies to both City of York refuse vehicles and commercial refuse company vehicles).	Vehicle was being used for this purpose	<p>If Attendant observed no activity during observation period or at time of issue REJECT</p> <p>If Attendant did observe activity during observation period, or at time of issue, and the vehicle belongs to a bona fide cleansing or refuse collection company: ACCEPT</p>
73 83 87	The vehicle is displaying a valid Disabled Person's Badge and time clock in medium stay car parks except that this exemption shall not apply if the vehicle has left its original parking place and returned to it within 60 minutes.	<p>Blue Badge was valid and/or was on display and did not stay for longer than permitted.</p> <p>Did not return within 60 minutes to the same parking place</p>	<p>Check validity of badge. If valid and this is the first parking contravention: ACCEPT with a warning that any further parking contraventions of this nature may result in the PCN being upheld. Otherwise REJECT</p> <p>Examine photographs and Attendants pocket book notes, in particular the recorded vehicle wheel valve positions at time first seen and time issued. If evidence supports the issue of the PCN or, on the balance of probabilities, the evidence suggests that the information is true then REJECT the objection, if evidence is unclear then ACCEPT the objection.</p>

## Table J –ST LEONARD PLACE

### Parking contraventions:

- Parked without payment of the parking charge (Code 73)
- Parked in a restricted area in a car park (Code 81)
- Parked after the expiry of paid for time (Code 82)
- Parked in a permit bay without clearly displaying a valid permit (Code 85)
- Parked beyond the bay markings (Code 86)
- Parked in a disabled person’s parking space without clearly displaying a valid disabled person’s badge (Code 87)
- Vehicle parked exceeds maximum weight and/or height and/or length permitted in the area (Code 89)
- Parked causing an obstruction (Code 92)
- Parked in a car park when closed (Code 93)

PCN Contravention Codes	Valid Exemptions	Motorist’s response to issue of PCN	Action	Code
73 81 82 85 86 87 89 92 93	<p><u>Monday to Friday 8 am to 6 pm except Public Holidays</u></p> <p>A vehicle displaying a permit issued by the City Council for this parking place providing that the time limit (if any) marked upon that permit is not exceeded. Marked Pool Cars Street Environment Smart Cars The Civic Vehicle A City of York Council messenger vehicle</p> <p><u>At all other times</u></p> <p>As above plus those in Table I</p>	<p>Vehicle is authorised to park</p> <p>Vehicle had permit</p> <p><u>At all other times</u></p> <p>As above plus those in Table I</p>	<p>Refer to Appendix E and if vehicle is covered by the list of those permitted ACCEPT Otherwise REJECT</p> <p>Check records of St Leonard’s Place permits and if vehicle is covered by a valid permit AND this is the first parking contravention within 12 months: ACCEPT with a warning to display permit correctly and that any further parking contraventions of this nature may result in the PCN being upheld.</p> <p><u>At all other times</u></p> <p>As above plus those in Table I</p>	

## Table K – SHAMBLES

### Parking contraventions:

- Parked in a restricted area in a car park (Code 81)
- Parked in a permit bay without clearly displaying a valid permit (Code 85)
- Parked beyond the bay markings (Code 86)
- Vehicle parked exceeds maximum weight and/or height and/or length permitted in the area (Code 89)
- Parked in a car park or area not designated for that class of vehicle (Code 91)
- Parked causing an obstruction (Code 92)
- Parked in a car park when closed (Code 93)
- Parked in a parking place for a purpose other than the designated purpose for the parking place (Code 95)

PCN Contravention Codes	Valid Exemptions	Motorist's response to issue of PCN	Action
86	Vehicle was out of bay but was not causing an obstruction.	Impossible to park within marked bay due to size of vehicle  Impossible to park within marked bay due to presence of other badly parked vehicles	Examine photographs and Attendants notes If evidence supports or, on the balance of probabilities, the evidence suggests that vehicle was not causing an obstruction then ACCEPT the objection with a warning to ensure that they park within a bay in future, as any further PCN's may not be cancelled. If the vehicle clearly was parked out of a bay (two or more wheels are outside of the bay and not touching the bay markings) and was causing an obstruction then REJECT the objection.
85	Waiver is on display, valid for the location, date and time.	Waiver was on display/or was valid for location date and time	Seek details from Parking Service Manager concerning any Waiver issued for location date and time. If valid Waiver in effect for location date and time ACCEPT Otherwise REJECT
85	Valid Permit	Permit is valid for the vehicle concerned.	Check records of Shambles Permits and if vehicle is covered by a valid permit AND this is the first parking contravention ACCEPT with a warning that any further parking contraventions of this nature may result in the PCN being upheld. Otherwise REJECT



<p><b>85</b></p>	<p>Cleansing and refuse vehicles collecting rubbish from the car park providing there is clear evidence that the vehicle is in actual use. (NB: This applies to both City of York refuse vehicles and commercial refuse company vehicles).</p>	<p>Vehicle was being used for this purpose</p>	<p>If Attendant observed no activity during observation period or at time of issue REJECT  If Attendant did observe activity during observation period or at time of issue and the vehicle belongs to a bona fide cleansing or refuse collection company ACCEPT</p>
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## Table L – COACH PARKS

Parking contraventions:

- Parked without payment of the parking charge (Code 73)
- Parked in a restricted area in a car park (Code 81)
- Parked after the expiry of paid for time (Code 82)
- Parked beyond the bay markings (Code 86)
- Parked in a car park or area not designated for that class of vehicle (Code 91)
- Parked causing an obstruction (Code 92)
- Parked in a car park when closed (Code 93)
- Parked with engine running where prohibited (Code 96)

PCN Contravention Codes	Valid Exemptions	Motorist's response to issue of PCN	Action
73	A coach which displays a valid Pay and Display ticket or permit or has paid for parking by means of the Verrus Mobile Phone system and is still within the paid for period of waiting purchased	Paid for parking – has ticket or permit.	Check that the time of issue was on the same date as but prior to the issue of the PCN and for the location where the PCN was issued. If time prior to time of issue of PCN and this is the first parking contravention ACCEPT with a warning that any further parking contraventions of this nature may result in the PCN being upheld because it is the customer's responsibility to display a ticket or permit correctly. Otherwise REJECT
73	A coach which displays a valid Pay and Display ticket or permit or has paid for parking by means of the Verrus Mobile Phone system and is still within the paid for period of waiting purchased	Paid for parking using Verrus system	Check with Verrus system that a purchase of parking was made prior to the time and date of issue of the PCN and for the location where the PCN was issued. If record confirms: ACCEPT Otherwise ask motorist to provide documentary evidence from credit/debit card records that payment was taken. If evidence supports or, on the balance of probabilities, the evidence suggests that the information is true: ACCEPT Otherwise REJECT

73	If Pay & Display machine is “Out of Order” providing that there are no operating machines within the immediate vicinity (i.e. visible from the out of order machine and within 2 minutes walk of it)	Unable to pay due to machine failure	Check with Machine Fault Records to determine if machine had been reported faulty on the day of issue. If so and it would be unreasonable to expect a customer to use an nearby working machine: ACCEPT Otherwise REJECT
86	Vehicle was out of bay but was not causing an obstruction. .	Impossible to park within marked bay due to presence of other badly parked vehicles	Examine photographs and Attendants notes If evidence supports or, on the balance of probabilities, the evidence suggests that vehicle was not causing an obstruction then ACCEPT the objection with a warning to ensure that they park within a bay in future, as any further PCN’s may not be cancelled.  If the vehicle clearly was parked out of a bay (two or more wheels are outside of the bay and not touching the bay markings) and was causing an obstruction then REJECT the objection.
73	A vehicle which displays a valid Special Event permit.	Special Event Permit was on display/or was valid for location date and time	Seek details from Parking Service Manager concerning any Special Event Permits issued for location date and time. If valid Waiver in effect for location date and time ACCEPT Otherwise REJECT
73	Cleansing and refuse vehicles collecting rubbish from the car park providing there is clear evidence that the vehicle is in actual use. (NB: This applies to both City of York refuse vehicles and commercial refuse company vehicles).	Vehicle was being used for this purpose	If Attendant observed no activity during observation period or at time of issue REJECT If Attendant did observe activity during observation period or at time of issue and the vehicle belongs to a bona fide cleansing or refuse collection company ACCEPT

### 3 CLAMPING AND REMOVAL

Authority to clamp or remove a vehicle will only be given by the Head of Network Management or, in his absence, the Parking Services Manager.

No vehicle will be considered for clamping unless it has a minimum of three **outstanding** PCN's in the last six months, the driver has committed a parking contravention for which a current PCN has been issued, and no objection correspondence has been received for the previous PCN's.

Authority to remove a vehicle will not normally be given unless the vehicle concerned has been clamped and is causing an obstruction or appears to have been abandoned or has been clamped for more than 24 hours. Other than in exceptional cases, approval to remove will not be issued until 24 hours after the vehicle has been clamped.

Attendants wishing to request authority to clamp should contact the Parking Patrol Supervisor, or their Team Leader or Assistant Team Leader, who will pass the request to the Representations Officer with full details of the vehicle. The Representations Officer will check the number of outstanding PCN's and be responsible for ensuring that the vehicle concerned has a minimum of three outstanding PCN's in the previous six months with no ongoing objection correspondence. Subject to being satisfied that the vehicle complies with these criteria, the Representations Officer, or, in her absence, another member of the parking team, will forward the request to the Head of Network Management, or in his absence, the Parking Services Manager, with details of the number of PCN's outstanding and vehicle location.

Any authority to clamp will be issued to the Representations Officer who will record that fact in the log kept for this purpose and inform the Parking Patrol Supervisor.

A request to remove a clamped vehicle will be made by the Parking Patrol Supervisor to the Representations Officer who will check that authority to clamp has been issued. That officer will forward the request to the Head of Network Management, or in his absence, the Parking Services Manager, and, if approval is issued, record the issuing of authority in the log kept for this purpose, before advising the Parking Patrol Supervisor. Only in exceptional circumstances, for example if the vehicle is causing an obstruction to traffic, may a vehicle be removed without first being clamped.

For more details of the clamping and removal policy see the ['Procedure for Clamping & Removal'](#) document which is kept in the Parking Office.

## PENALTY CHARGE NOTICE CANCELLATION RECORD

PCN No:	Date of Issue:	Issued by:

REASON FOR CANCELLATION

Attendant Error	<input type="checkbox"/>
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Successful Objection	<input type="checkbox"/>
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Cancellation Requested by:	<sup>1</sup>
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Cancellation Authorised by	
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<sup>1</sup> This person cannot be the same as the individual authorising the cancellation

## PCN Contravention Codes – On Street Parking

Code	Description
01	Parked in a restricted street during prescribed hours
02	Parked or loading/unloading in a restricted street where waiting and loading/unloading restrictions are in force
05	Parked after the expiry of paid for time at a pay & display bay
06	Parked without clearly displaying a valid pay & display ticket
07	Parked with payment made to extend the stay beyond initial time
15	Parked in a residents' parking space without clearly displaying a valid residents' parking permit
16	Parked in a permit space without displaying a valid permit
19	Parked in a parking place without clearly displaying the required permit or pay and display ticket
21	Parked in a suspended bay/space or part of bay/space
22	Re-parked in the same parking place within one hour* of leaving
23	Parked in a parking place or area not designated for that class of vehicle
24	Not parked correctly within the markings of the bay or space
25	Parked in a loading place during restricted hours without loading
30	Parked for longer than permitted
40	Parked in a designated disabled person's parking place without clearly displaying a valid disabled person's badge.
42	Parked in a parking place designated for police vehicles
45	Parked on a taxi rank
46	Stopped where prohibited (on a red route or clearway)
47	Parked on a restricted bus stop/stand
48	Stopped in a restricted area outside a school

\* Or other specified time

## PCN Contravention Codes – Off Street Parking (Car Parks)

Code	Description
73	Parked without payment of the parking charge
80	Parked for longer than the maximum period permitted
81	Parked in a restricted area in a car park
82	Parked after the expiry of time paid for time
83	Parked in a pay & display car park without clearly displaying a valid pay & display ticket
84	Parked with additional payment made to extend the stay beyond time first purchased
85	Parked in a permit bay without clearly displaying a valid permit
86	Parked beyond the bay markings
87	Parked in a disabled person's parking space without clearly displaying a valid disabled person's badge
89	Vehicle parked exceeds maximum weight and/or height and/or length permitted in the area
90	Re-parked within one hour* of leaving a bay or space in a car park
91	Parked in an area not designated for that class of vehicle
92	Parked causing an obstruction
93	Parked in car park when closed
95	Parked in a parking place for a purpose other than the designated purpose for the parking place
96	Parked with engine running where prohibited

\* Or other specified time

## St Leonards Place car park – Policy

The general principle for St Leonard's shall be that:

- ❑ during the working week 8am to 6pm the site is reserved for visitors to the St Leonards Place council offices
- ❑ visitors to the Council Offices may park for a maximum of 30 minutes upon displaying a permit obtained from the main Reception supervisor.
- ❑ clearance must be obtained in advance should a Department require a visitor to park for longer than 30 minutes. That clearance can only be issued by the Director of City Strategy, one of his/her Assistant Directors or the Parking Services Manager

If someone is working in St Leonards (i.e. maintenance work, cleaning) then more time will normally be allowed free of charge as a matter of course.

### Exemptions to the above

- CYC Marked Pool Cars without limit of time
- Street Environment Smart Cars without limit of time.
- CYC Staff with Disabled Blue Badges who have been issued with a Disabled Staff Permit without limit of time.
- Pest Control Vehicles for a maximum of one hour only.
- The Sheriff and the Lord Mayor whilst on official business without limit of time
- The civic vehicle without limit of time
- Committee Services clerks attending meetings expected to finish after normal working hours without limit of time and displaying a valid permit
- The Corporate Messenger without limit of time
- The building maintenance joiner whilst doing maintenance work in the building without limit of time
- VIP's who are visiting the Guildhall by permission obtained in advance from the Parking Services Manager without limit of time
- Any other user which in the opinion of the Director of City Strategy is regularly transporting money or valuable equipment on behalf of the city council and which, were that vehicle not to be able to park in St Leonards could reasonably be expected to put at risk that money or equipment. Such vehicles by permit issued in advance be permitted to park without limit of time